

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
EUGENE DIVISION

SAMANTHA KAY ELLIOT,

Civ. No. 6:24-cv-00947-AA

Appellant,

OPINION & ORDER

v.

WESTIN DANIEL,

Appellee.

AIKEN, District Judge.

This bankruptcy appeal was filed on June 6, 2024. ECF No. 1. Transmittal of the Record for Bankruptcy Appeal was docketed on July 9, 2024. ECF No. 4. Appellant was directed to file her brief within thirty days of the docketing of the bankruptcy record. ECF No. 4. Appellant did not file her brief, nor did she request additional time in which to do so.

On June 9, 2025, the Court ordered Appellant to file her brief within fourteen days and warned that failure to do so would result in the dismissal of the appeal for want of prosecution. ECF No. 5. Appellant did not respond to the Court's Order, nor did she file her brief.

Federal Rule of Bankruptcy Procedure 8018 provides that “[i]f an appellant fails to file a brief on time or within an extended time authorized under (a)(3), the

district court or BAP may—on its own after notice or on the appellee’s motion—dismiss the appeal.” Fed. R. Bankr. P. 8018(a)(4).

As noted, Appellant has not filed her brief within the time allowed, despite notice from the Court. Consistent with Rule 8018(a)(4), this appeal is DISMISSED and final judgment shall be entered accordingly.

It is so ORDERED and DATED this 26th day of June 2025.

/s/Ann Aiken
ANN AIKEN
United States District Judge